



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,615	07/11/2000	Cheryl L. Neofytides	10722-32691	1081

26702 7590 09/04/2002

MORRIS, MANNING & MARTIN LLP
6000 FAIRVIEW ROAD
SUITE 1125
CHARLOTTE, NC 28210

EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 09/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/613615

Applicant(s)

Nesly, Tida

Examiner

Akers, G

Group Art Unit

3624

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 7/26/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 20-37, 39-51, 69-75, 77-78 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 30-37, 39-51, 69-75, 77-78 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 13
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 3624

DETAILED ACTION

Response to Request for Continued Examination(RCE)

1. This action is furnished in response to applicant's Request for Continued Examination (RCE)Amendment B(Paper #12) filed 7/26/02.
2. Claims 38,52-68,76,79-90 were cancelled.Claims 30,37,40-46,50-51,69-70,73-75 and 77-78 were amended. No new claims were added.
3. Claims 30-37,39-51,69-75,77-78 remain pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Amended claims 30-37 and 39,46-51 are rejected under 35 USC 103(a) as unpatentable over Lamm(US Pat. No: 6,078,907) in view of Jalili(US Pat. No: 6,088,683) and further in view of Kausik(US Pat. No: 6,263,446). Lamm discloses a computer-implemented method for providing a computer network money request service, which includes maintaining an e-mail address database(EPO server 16)(Fig 1)(col 5 line 10 et. seq)(col 6 line 53 et seq)(col 7 line 14 et seq)(col 9 line 62 et seq)(col 11 line 17 et seq)(col 15 line 30 et seq)(col 15 line 63 et seq)(col 16 lines 19-48). Lamm also teaches receiving an e-mail address of an individual payor from a payee(col 8 line

Art Unit: 3624

56 et seq)(col 9 line 58 et seq)(col 11 line 17 et seq) as well as sending an e-mail to the payor(Fig 5)(col 11 line 58 et seq)(col 12 line 8 et seq)(col 14 line 40 et seq) as well as receiving authorization and completing payment(col 15 line 10 et seq)(col 15 line 30 et seq).Lamm further teaches wherein the payment amount is withdrawn from an identified source(Fig 5/126/122/124).

Additionally, Lamm discloses first and second intermediary banks and transfer methods(col 16 line 33 et seq) and default money receipt selection method(col 4 line 23 et seq) as well as notifying the payee of payment(col 16 line 19 et seq) and initiating money transfer and crediting a stored value account(col 16 line 48 et seq) as well as receiving future payment dates to transfer money(col 9 line 40 et seq)(col 15 line 10 et seq)(col 15 line 45 et seq) and online history transaction statements(col 16 line 5 et seq). Lamm further teaches an e-mail link to a web page to authorize payment(col 15 line 30 et seq)(col 8 line 64 et seq)(col 11 line 30) as well as including individual message/subject line in e-mail(col 11 line 30 et seq)(col 12 line 55 et seq)(col 13 line 15 et seq). Lamm teaches a funds source identifier supporting payment(col 4 line 25) and include a hyperlink to a web site maintained by the server(Fig 4/28).Lamm does not disclose a method for transferring funds through a network between a first party registered with the computer server of the network and a second party not previously registered with the computer server.Jalili teaches this(Abstract)(col 1 lines 22-45)(col 1 lines 59-col 2 line 48).Jalili further discloses the use of an alternative registration name and an e-mail address(col 2 line8-14).Kausik discloses a roaming user not registered with a computer obtaining authorization to perform a transaction on an on-demand basis(Abstrtact)(col 2 lines 10-54)(Fig 1)(col 3 line 21-col 4 line 63).It would have been

Art Unit: 3624

obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili to teach part of the above. The motivation to combine is to teach a system for a user to interact with a third party to be utilized for a transaction without a second party having the customer's credit card number as enunciated by Jalili(col 1 lines 35-40).Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili and further in view of Kausik to theach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12).

6. Claims 40-42 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Wolff(US Pat. No: 6,247,047).

Lamm discloses a computer-implemented method for providing a computer network meney request service, including first anmd secondary intermediary banks and payment transfer methods(col 16 line 33 et seq) as discussed. To the extent that Lamm does not disclose payment authorization by a second individual (via ATM or private payment network)(col 16 line 44 et seq), Wolff discloses a computer implemented method for providing a computer network including an e-mail database(col 6 line 53 et seq)(col 7 line 7 et seq)(col 11 line 40 et seq) and receiving an e-mail address from a first individual and searching the e-mail database(col 11 line 25) and notifying the second individual by e-mail to receive authorization to receive payment)Figs 1-4)(col 11 line 4- et seq)(col 12 line 10 et seq). E-mail notification provides an improved means

Art Unit: 3624

to facilitate computer network transactions by permitting individuals to control receipt of payment(col 4 line 34)(col 11 line 40)(col 12 line 10) among various payment methods(lamm/col 16 line 33). It would have been obvious to one skilled in the art at the time of the invention to provide a means for a second individual to authorize payments and thereby control transfer of money to various accounts as taught by Wolff on the method of Lamm to facilitate commerce on computer networks among individuals and payment methods.

7. Claims 43-45 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Dorf(US Pat. No: 6,189,787).

Lamm discloses a computer-implemented method for providing a network money request service including payment through an intermediary bank. Lamm does not disclose a point of sale transaction with a debit card. Dorf discloses a method for providing a computer network money request service including a debit card(Fig 1) and point of sale terminal for debiting a stored value account to pay a merchant through an intermediary bank(Fig 1)(Fig 2)(col 1 line 15)(col 3 line 15)(col 11 line 5). Debit and multi-use cards facilitate commerce in point of sale transactions by providing a means to transfer value to a merchant in exchange for goods and services(col 1 line 8 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a debit card as taught by Dorf on the method of Lamm to facilitate point of sale transactions.

Art Unit: 3624

8. Claims 69-75, 77-78 are rejected under 35 USC 103(a) as being unpatentable over Lamm (US Pat. No: 6,078,907) in view of Payne(US Pat. No: 5,909,492)in view of Jalili(US Pat. No: 6,088,683) and further in view of Kausik(US Pat. No: 6,263,446).

Lamm provides a computer implemented method for providing a computer network money request service including searching an e-mail database for addresses of parties to a person-to-person payment service as discussed. Lamm does not disclose registration of individuals whose e-mail addresses do not exist in the database. Payne discloses a computer implemented method for providing a computer network money request service including identification of individuals by network addresses(Fig 2A-2I)(col 5 line 26 et seq) and sending a registration message to unregistered individuals to register and authorize payment(col 5 line 57)(col 6 line 9) and web page link(col 6 line 15 et seq) to register and complete payment. Providing for new account registration facilitates money request service and payment transactions by registering new individuals during payment processing(col 6 line 15 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts and complete funds transfer. Lamm does not disclose a method for transferring funds through a network between a first party registered with the computer server of the network and a second party not previously registered with the computer server. Jalili teaches this(Abstract)(col 1 lines 22-45)(col 1 lines 59-col 2 line 48). Jalili further discloses the use of an alternative registration name and an e-mail address(col 2 line 8-14). Kausik discloses a roaming user not registered with a

Art Unit: 3624

computer obtaining authorization to perform a transaction on an on-demand basis(Absttrtact)(col 2 lines 10-54)(Fig 1)(col 3 line 21-col 4 line 63).It would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Payne and in view of Jalili to teach part of the above. The motivation to combine is to teach a system for a user to interact with a third party to be utilized for a transaction without a second party having the customer's credit card number as enunciated by Jalili(col 1 lines 35-40).Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Payne in view of Jalili and further in view of Kausik to theach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12).

Conclusion

9. **THIS ACTION IS MADE NON-FINAL.**

10. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 2100 or this Art Unit is (703)-308-6296 or 6306. Any inquiry of a general nature or

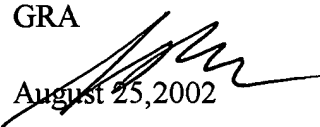
Application/Control Number: 09/613,615

Page 8

Art Unit: 3624

relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-305-3900.

GRA


August 25, 2002